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Jan. 27, 1863

[HOUSE BILL, No. 19.]

HOUSE OF REPRESENTATIVES.—January 27, 1863.—Read first and second times, referred to Committee on Quartermaster and Commissary Departments and Military Transportation, and ordered to be printed.

[By Mr. MILES.]

A BILL

To provide for the safe and expeditious transportation of troops and munitions of war by railroads.

1 SECTION 1. *The Congress of the Confederate States of America do*
2 *enact*, That to facilitate the efficient, prompt, and uninterrupted
3 transportation of troops and military munitions and supplies, the
4 President shall appoint a Military Chief of Railroad Transporta-
5 tion, who shall have the rank of a Lieutenant Colonel and receive
6 compensation at the rate of five thousand dollars per annum,
7 payable quarterly, who shall hold his office during the pleasure
8 of the President, and who shall be selected from the railroad
9 officers in the Confederate States with a special view to his judg-
10 ment, skill and experience in the practical details of railroad
11 operations and machinery, and who shall hold no other office nor
12 employment during its continuance.

1 SEC. 2. *Be it further enacted*, That the said Military Chief of
 2 Railroad Transportation shall be authorized and required to di-
 3 vide the railroads in the Confederate States into not less than
 4 two nor more than four Railroad Districts, over each of which
 5 districts the President shall appoint a District Military Superin-
 6 tendent, who shall have the rank of a Major, with the annual
 7 compensation of sixteen hundred dollars per annum, and who
 8 shall also be selected from the railroad officers of the Confederate
 9 States, with a special view to his judgment, experience and skill
 10 in the operations and machinery of railroads, and who shall hold
 11 his office at the pleasure of the President.

1 SEC. 3. *Be it further enacted*, That the acting President and
 2 Superintendent of each railroad shall, *ex officio*, be the local and
 3 special Military Superintendents of the operations of each such
 4 railroad, and shall have the rank, respectively, the President of
 5 a Major and the Superintendent of a Captain, but without any
 6 pay or pecuniary compensation to either by virtue of such rank.

1 SEC. 4. *Be it further enacted*, That the Road Master and each
 2 Conductor of Passenger trains, and other trains conveying
 3 troops, of each railroad, shall have the rank, but without any
 4 pay as such, of a First Lieutenant; and each Chief Station
 5 Agent and Section Master shall have the rank, but without any
 6 pay as such, of Second Lieutenant.

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1 SEC. 5. *Be it further enacted,* That in all matters pertaining to
2 their respective official duties as railroad officers and pertaining
3 to railroad operations entrusted to their care, each of the officers
4 of railroads herein named, shall have complete and exclusive
5 control, and be subject to no interference or control of any
6 military officer, of whatever rank, except as hereinafter provided
7 for; and that any military officer, of whatever rank, not engaged
8 in the management of any railroad, who shall interfere with the
9 movement of any train or other operations of such road, shall be
10 deemed guilty of a military offence, and, upon charges preferred
11 by the President of the railroad company, may be tried and
12 punished at the discretion of a court martial.

1 SEC. 6. *Be it further enacted,* That each such railroad officer
2 shall, as to the operations of his railroad and the protection of
3 its property, be clothed, according to his rank and within the
4 scope of his duties, with military authority over the agents and
5 operatives and watchmen or guards under his authority, and over
6 any other persons who may molest or intrude upon any property
7 belonging to his railroad.

1 SEC. 7. *Be it further enacted,* That it shall be the duty of each
2 District Railroad Superintendent, with the aid, and, after con-
3 sultation with the Presidents and Superintendents of the rail-
4 roads within his district, to arrange such schedules for the move-

5 ment of government trains as will insure, as far as practicable,
6 their uninterrupted, safe and prompt continuous transportation
7 along their several railroads, without unnecessary delays on or at
8 the termini of either of the railroads in his district, as well as to
9 secure like close connections and uninterrupted transportation
10 with the railroads of districts adjacent to his own. If, upon
11 such consultation with such Railroad Presidents and Superinten-
12 dents, he shall fail to agree with them upon such schedules for
13 uninterrupted transportation, he shall establish a schedule, to
14 which it shall be obligatory on the officers of such railroads to
15 conform the movements of their trains. If the officers of any
16 such railroad, over which such schedules shall have been estab-
17 lished, shall neglect or refuse to conform to such schedules the move-
18 ment of their trains, then, upon the complaint of the said District
19 Military Superintendent, and upon due notice of such complaint
20 to the President or Superintendent so neglecting or refusing, the
21 Chief of Military Transportation may, after a summary hearing
22 of both parties, if he deem such complaint well founded, call
23 upon the general commanding the department in which such
24 recusant President or Superintendent shall reside, to take military
25 possession of such railroad, and deliver it to such District Mili-
26 tary Superintendent, to be controlled and managed by such
27 officers as such District Superintendent may appoint, and so long

28 as the said Chief of Military Transportation may deem necessary
29 to the military operations of the Government.

1 SEC. 8. *Be it further enacted*, That, whenever transportation
2 for troops, officers or military munitions or supplies, is desired
3 or required by any military officer, such officer shall give the
4 earliest practicable notice of such requirement to the proper
5 officer of the railroad or railroads over which such transportation
6 is to be performed, who shall himself also give the promptest
7 notice practicable, of such requirement, to the proper officer of
8 each connecting railroad over which the same transportation is to
9 be continued; and any such military officer making such a requi-
10 sition shall designate the hour when such officers, troops or mili-
11 tary munitions or supplies will be completely ready for transpor-
12 tation, and it shall be his imperative duty to see that they are
13 then so ready, and, after which hour no train shall be detained
14 without the consent of the controlling officers of such railroad;
15 but the hours of departure and arrival, and all other matters
16 relating to the movements of trains shall be controlled exclu-
17 sively by such officers of the railroads performing the transpor-
18 tation.

1 SEC. 9. *Be it further enacted*, That whenever, upon the repre-
2 sentation of any General, commanding any Department, or in
3 the judgment of any of the said District Military Superintendents,

4 or of the said Chief of Military Railroad Transportation, or by a
5 General commanding a Division, when neither of the three above
6 named officers are present, it shall be deemed necessary, or of
7 great importance to the public service, either to remove the
8 rails or other movable structures, or the machinery of any
9 Railroad in any district, in order to prevent their capture by the
10 public enemy, or to repair, extend or alter the roadway, structures
11 or machinery of such Railroad, or to construct any side tracks,
12 water stations, warehouses, or other structures connected with
13 any such Railroad; such work shall be, upon the requisition
14 of such District Superintendents, promptly executed under the
15 control and superintendence, if practicable, of the officers of such
16 Railroad, and if they cannot or will not execute it as promptly
17 or as well as may be practicable by such District Superintendent,
18 the cost thereof in either case to be defrayed by the Treasurer of
19 the Confederate States, on the warrant of such District Superin-
20 tendent, and to be charged to, and refunded by, the Company on
21 whose Railroad such structures are constructed, or such repairs,
22 extensions or alterations of roadway, structures or machinery
23 are made, to the extent only, however, and at the time when they
24 shall be of value and importance to such Company, irrespective
25 of their exclusive value to the Government; such value to be
26 determined by the estimate of three impartial arbitrators, one of

27 whom shall be selected by such Company, another by the Gov-
 28 ernment, and by those two the third shall be chosen.

1 SEC. 10. *Be it further enacted*, That if any Superintendent or
 2 President of any Railroad Company shall wilfully fail or refuse,
 3 upon a requisition made in the manner hereinbefore indicated, to
 4 furnish transportation for troops and munitions of war to the
 5 extent required, and to the extent of the capacity of the road,
 6 the officer or officers so offending, shall be deemed guilty of a
 7 military offence, and for such offence shall be tried and punished
 8 at the discretion of a court martial—a portion of the punishment
 9 inflicted by which, should the party tried be found guilty, shall
 be removal from official connection with the road.

1 SEC. 11. *Be it further enacted*, That any officer or employee,
 2 connected with any Railroad, upon whom by this Act it is
 3 provided military rank shall be conferred, if he fails wilfully in
 4 any manner to perform his duty, as such officer or employee,
 5 whereby detention or detriment may occur in the transportation
 6 of troops or munitions of war, shall be deemed guilty of a
 7 military offence, and punished at the discretion of a court
 8 martial—a portion of the punishment inflicted by which, should
 9 the party tried be found guilty, shall be removal from office or
 10 employment in connection with the road: *Provided*, That the
 11 court martial, to be ordered under this and the preceding section,

12 shall be composed alike of officers, upon whom by this Act rank
13 is conferred, and of officers of the army.

1 SEC. 12. *Be it further enacted*, That the Military Chief of
2 Railroad Transportation, and the District Superintendents, shall
3 each be entitled to one Clerk, to whom shall be paid a salary of
4 \$800, except to the Clerk of the Military Chief, whose salary
5 shall be \$1,200.

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